

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

MIKE HOPKINS,)	
)	
Plaintiff,)	
)	
v.)	No. 11-3178-SSA-CV-S MJW
)	
MICHAEL J. ASTRUE, Commissioner,)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

Before the court is the Commissioner's motion of December 8, 2011, requesting the court to enter a final judgment, pursuant to Rule 58 of the Federal Rules of Civil Procedure, reversing the decision of the Administrative Law Judge (ALJ) and remanding this case to the Commissioner under sentence four of 42 U.S.C. § 405(g). The Commissioner states that, upon remand, the ALJ will be directed to proffer to plaintiff the consultative report from Anthony Zeimet, D.O., which was obtained following the administrative hearing. The Commissioner further states the ALJ will also be directed to give further consideration to the opinion of Shane Bennoch, M.D., who opined that plaintiff had limitations which would prevent him from working an eight-hour workday.

After consideration of the record, the court finds that a remand, pursuant to sentence four, is warranted. Remand will expedite administrative review and allow the Commissioner to properly consider the claim. Accordingly, it is

ORDERED that the decision of the ALJ is reversed, and this case is remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) for a proper consideration of plaintiff's claim, and that a final judgment be entered, pursuant to Rule 58. [9]

Dated this 15th day of December, 2011, at Jefferson City, Missouri.

/s/ *Matt J. Whitworth*

MATT J. WHITWORTH
United States Magistrate Judge